

PROB 12C
(7/93)

Report Date: July 24, 2014

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JUL 24 2014

Eastern District of Washington

SEAN F. MCANULTY, CLERK
DEPUTY
VACANT, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Roger Benson

Case Number: 0980 2:06CR02073-003 and
0980 2:08CR06069-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: March 15, 2007
(0980 2:06CR02073-003)
April 9, 2009
(0980 2:08CR06069-001)Original Offense: Possession with Intent to Distribute a Controlled Substance, 21 U.S.C. § 841(a)(1),
(0980 2:06CR02073-003); Escape From Custody, 18 U.S.C. § 751,
(0980 2:08CR06069-001)Original Sentence: Prison - 24 M; TSR - 36 M
(0980 2:06CR02073-003)
33 M; TSR - 36 M
(0980 2:08CR06069-001) Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: May 23, 2013

Defense Attorney: Rebecca Pennell

Date Supervision Expires: January 22, 2016

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<u>Mandatory Condition #4:</u> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Roger Benson consumed methamphetamine on July 9, 2014.

On July 11, 2014, Mr. Benson reported to the U.S. Probation Office and admitted to using methamphetamine on July 9, 2014. The defendant reviewed and signed an admission of drug use form acknowledging the aforementioned.

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- 2 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Roger Benson is alleged to have trespassed and disturbed the peace on July 20, 2014, Yakima County Sheriff's Office case number 14C11272.

According to an incident report from the Yakima County Sheriff's Office, on July 20, 2014, at approximately 3:48 a.m., officers were dispatched to a call in reference to a suspicious person. Upon arriving at the scene, the defendant's vehicle was found in the driveway, with the motor running and the music playing, but there was no one in the vehicle. Contact was made with the female reporting party, who stated she had an affair with the defendant about a year ago and ended the relationship shortly after that. She advised since then, he has been trying to contact her and has been driving past her home. She reported this morning, the defendant parked his vehicle in their driveway and started calling for their dog. Officers could hear dogs barking behind the residence but were unable to locate the defendant. The reporting party advised she intended to file a restraining order against the defendant and mentioned he was carrying a firearm. Since the defendant is an enrolled Yakama Nation member, Tribal police were called and they advised they intended to file charges against the defendant for trespassing and disturbing the peace.

- 3 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Roger Benson failed to report to the U.S. Probation Office, as directed on July 22, 2014.

On July 21, 2014, the defendant was directed to report for an office visit on July 22, 2014, at 8 a.m., but he failed to report. On July 23, 2014, contact with the defendant's girlfriend revealed the defendant informed her he did not report because he figured he would be arrested.

- 4 **Standard Condition # 5:** The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.

Supporting Evidence: Roger Benson failed to maintain employment at Yakama Forest Products.

Contact with his employer revealed the defendant was terminated from his job at Yakama Forest Products on July 23, 2014, because of attendance issues. They stated he was hired on July 8, 2014, but only worked 3 days.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/24/2014

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

7/24/14
Date